United Nations S/PV.6470

Security Council

Sixty-sixth year

Provisional

6470th meeting

Wednesday, 19 January 2011, 10.30 a.m.

New York

President:	Mr. Barbalić	(Bosnia and Herzegovina)
Members:	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Germany	Mr. Wittig
	India	Mr. Hardeep Singh Puri
	Lebanon	Mr. Salam
	Nigeria	Mrs. Ogwu
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

11-21051 (E)

Please recycle

The meeting was called to order at 10.30 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: Under rule 37 of the Council's provisional rules of procedure, I should like to invite the representatives of Algeria, Australia, Bangladesh, Chile, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Japan, Jordan, Malaysia, Morocco, Norway, Pakistan, the Philippines, the Sudan, Tajikistan, Tunisia, Turkey, Saudi Arabia, the Syrian Arab Republic, Uganda and the Bolivarian Republic of Venezuela to participate in this meeting.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: Due to an ongoing labour dispute of Israeli Foreign Service employees, the Israeli Permanent Mission to the United Nations will unfortunately not be able to participate in today's Security Council meeting.

I should like to inform the Council that I have received a letter dated 17 January 2011 from the Permanent Observer of Palestine to the United Nations, which will be issued as document S/2011/23 and which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council that will be held on Wednesday, 19 January 2011, on the situation in the Middle East, including the Palestinian question."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in the meeting in accordance with the rules of procedure and previous practice in this regard.

There being no objection, it is so decided.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs.

Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Abdou Diallo, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Pedro Serrano, Acting Head of the delegation of the European Union to the United Nations.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Pascoe.

Mr. Pascoe: As a new year begins — one in which we hope there will be some progress in Middle East peacemaking — several immediate challenges are present. Israeli-Palestinian negotiations remain at a deadlock. Developments in both the occupied Palestinian territory and in Lebanon have heightened tensions in the reporting period.

On the Israeli-Palestinian track, we appreciate and support United States efforts to engage in parallel talks on substance with the parties. United States Envoy Mitchell visited the region in late December, and Israeli and Palestinian negotiators held separate consultations with the United States in Washington, D.C., earlier this month. I would like to reiterate the Secretary-General's call on the parties to seriously engage on final status issues, and welcome United States intentions to be a proactive participant offering ideas and proposals when appropriate. We also appreciate the diplomatic efforts of a number of other world leaders who have recently visited the region.

However, the target dates supported by the Quartet for reaching an Israeli-Palestinian framework agreement on permanent status and for completion of the Palestinian Authority's two-year State-building programme will be upon us in eight to nine months from now. In this regard, the viability of the political process and the credibility of the Quartet are also at stake this year. We are seriously concerned at the continuing lack of progress in the search for a negotiated settlement. Peace and Palestinian statehood cannot be further delayed.

Quartet members will meet in Munich on 5 February. The Secretary-General also recently underlined to League of Arab States Secretary-General Amre Moussa his commitment to ensuring close coordination, and efforts are continuing to convene a

meeting between the Quartet and the Arab League Follow-Up Committee. We take note of the Arab League position lending support to the position of President Abbas on settlements and its call for the provision of parameters by the United States and the Quartet to facilitate a negotiated endgame based on the 1967 lines.

During the reporting period, a further number of Latin American countries extended recognition to a State of Palestine based on the 1967 lines. During his visit to the occupied Palestinian territory yesterday, President Medvedev reiterated the Russian Federation's long-standing support to the inalienable right of the Palestinian people to an independent State with its capital in East Jerusalem.

Further settlement expansion in the West Bank, including East Jerusalem, continues to undermine trust and prejudices final status discussions. The sharp increase in Israeli settlement construction activity recorded at the end of the settlement moratorium on 26 September 2010 has continued, with construction work beginning on up to 2,000 units in the West Bank since that time.

On 9 January, the Secretary-General issued a statement deploring the demolition of Shepherd's Hotel in the heart of a Palestinian neighbourhood in East Jerusalem. The Secretary-General expressed deep regret regarding Israel's failure to heed growing international concern over the expansion of illegal settlements. We are also worried about plans being developed to expand the Gilo settlement in East Jerusalem, near Bethlehem. I reiterate the Secretary-General's call on Israel to freeze all settlement activity in conformity with international law and the Road Map.

Despite mounting challenges on the ground, the Palestinian Authority continues to make strides in its State-building agenda. We alert donors to an estimated $100-million shortfall in external financing of recurrent expenditures of the Palestinian Authority from last year. The Palestinian Authority continues to seek to reduce its reliance on this financing, but it is nevertheless vital that donors continue to provide predictable, adequate and timely support.

The Palestinian Authority has continued its efforts to promote security in Area A. We also note positively a recent decision to cease bringing civilians before Palestinian Authority military tribunals. We believe that Israel can and must do more to enable Palestinian efforts to improve both security and economic conditions by easing restrictions on movement and access and facilitating Palestinian Authority efforts in Area C.

We note that Israeli security forces conducted 486 search operations in the West Bank. While we are cognizant of the security concerns that Israel cites in the context of these actions, we believe that they seriously undermine the Palestinian Authority when the strategic goal should be the opposite. Eighty-seven Palestinians were injured and 251 arrested in Israel Defense Forces (IDF) actions. However, most worrying were the deaths of four Palestinians in separate incidents, which warrant more transparent investigations and measures of accountability from Israel. The authorities must take greater precautions to ensure the protection of the civilian population under occupation and refrain from excessive use of force.

The most serious incidents include the killing of an unarmed man at a checkpoint on 2 January and of a 65 year-old man in his bed during an incursion in Hebron on 7 January, aimed at arresting alleged Hamas militants released by Palestinian security forces the day before for lack of evidence. In addition, a Palestinian woman died on 31 December after inhaling tear gas used by the IDF to disperse demonstrators protesting the barrier. A Palestinian man was also shot and killed at a checkpoint on 8 January; Israeli soldiers reported the discovery of two pipe bombs and a knife on his body. Some 43 others were arrested while protesting the barrier during the reporting period, and an anti-barrier Israeli activist was sentenced to 16 months in jail. In addition, 13 Palestinians were injured by Israeli settlers. Four settlers and seven members of the Israeli forces were injured by Palestinians during the reporting period.

On 12 January, a Palestinian involved in organizing protests against Israeli settlements in Silwan was expelled for four months to the West Bank. The fate of three Hamas-affiliated Palestinian legislators from East Jerusalem who have taken refuge in a compound of the International Committee of the Red Cross since July remains unresolved, while a legislator earlier transferred to Ramallah has not been allowed to return. We continue to be concerned about the human rights situation of Palestinian East Jerusalemites and to oppose any measures of forcible transfer. On 4 January, the Israeli authorities

announced the arrest of two Palestinian East Jerusalemites in connection with an alleged plot to fire a missile into the Jerusalem football stadium.

During the reporting period, 30 Palestinian structures were demolished in East Jerusalem and 41 in Area C of the West Bank, displacing 148 Palestinians. This is worrying and gives rise to serious humanitarian concerns, while contributing to heightened tensions. I am also concerned by the difficulties faced by impoverished Palestinian communities in Area C that have no adequate access to basic services because of problems in obtaining permission from the IDF to develop infrastructure in their areas. The Humanitarian Coordinator has supported a humanitarian response plan to meet a first set of urgent needs in education, water and shelter in Area C, which has received limited facilitation by the Israeli authorities thus far.

We remain concerned about the situation in Gaza, including a recent increase in tensions. Palestinian militants fired 31 rockets and 47 mortar shells into Israel — which represents approximately a four-fold increase from the previous reporting period — while Israel conducted 11 incursions and 26 air strikes in Gaza. On 21 December, an Israeli child was wounded after a rocket landed near a kindergarten, while two foreign workers in Israel were wounded by a mortar on 8 January. Four Palestinian civilians, including persons apparently accessing lands in the Israeli-declared buffer zone for civilian purposes, were killed by Israeli fire. Eleven Palestinian militants were also killed. Nineteen Palestinian civilians and 15 Palestinian militants were injured. An Israeli soldier was killed and four others were wounded by friendly fire during a clash with Palestinians on 7 January.

We condemn the indiscriminate firing of projectiles towards Israeli civilian areas by Palestinian militants. We equally stress that all parties must refrain from actions contrary to international humanitarian law that target or endanger civilians. The Office of the United Nations Special Coordinator for the Middle East Peace Process was active during the reporting period to promote a restoration of calm. Egyptian authorities have urged Hamas to put an end to violence. The de facto Hamas authorities in Gaza recently stated publicly their commitment to maintaining calm, and claimed that there is inter-factional agreement on this. All responsible parties should cease acts of violence. A new outbreak of major hostilities would be devastating, and must be avoided.

We can report no progress in efforts to further Palestinian reconciliation. We continue to monitor internal tensions.

A fundamental goal of the United Nations continues to be the revitalization of Gaza's economy and the search for an end to the Israeli closure policy within the framework of resolution 1860 (2009). Import and export levels have improved from the period before Israel's 2010 policy adjustment, but are still significantly below pre-2007 levels. On United Nations projects, on 6 January, Israel approved an additional $26.4 million in projects of the United Nations Development Programme and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), including seven additional UNRWA schools. That brings the total portfolio of approved United Nations projects to $136.4 million.

Looking ahead, the scaling-up of the scope of goods allowed for export and the scale at which they are permitted to exit the Strip remains a key priority. The United Nations will also continue to put forward new programmes of work to the Government of Israel that complement those already presented, including programming to revitalize the private sector and rehabilitate public health infrastructure. These are already under active discussion with Israeli authorities. We appreciate the strong support of the Palestinian Authority for these efforts. We continue to engage Israeli authorities on the need to ensure sufficient crossings capacity.

Allow me to reiterate our continuing concern at the detention by Hamas of Staff Sergeant Gilad Shalit, and to once again appeal for his release and for humanitarian access to be granted without further delay. We continue to follow the situation of Palestinian prisoners, including women and children and persons held without trial, and underline the importance of progress in prisoner releases by Israel.

We regret the lack of progress in the effort to promote peace between Israel and Syria, despite continuing contacts by diplomatic actors, including reportedly French and United States envoys. While the situation in the occupied Syrian Golan has remained stable in spite of continued settlement activity, the resolution of the conflict between these two countries on the basis of relevant Security Council resolutions is critical for regional stability, and an essential part of realizing the vision of the Arab Peace Initiative.

Please allow me now turn to developments in Lebanon, where the political crisis provoked by divergent views over the Special Tribunal for Lebanon has continued to deepen. On 12 January, the resignation of 10 cabinet ministers from the opposition, along with one minister from President Sleiman's bloc, forced the collapse of the Government of national unity. The Secretary-General called for continuing dialogue among the parties and respect for the Constitution and the laws of Lebanon, while emphasizing the importance of preserving calm. The Secretary-General also reiterated his full support for the independent work of the Special Tribunal for Lebanon.

On 13 January, President Sleiman issued a statement accepting the resignation of the ministers but requesting that the Government continue functioning in a caretaker capacity. The President announced that he would conduct parliamentary consultations to designate a new Prime Minister. The consultations, originally scheduled for 17 January, were postponed until 24 January. Let me comment here that it is essential for all Lebanese leaders to continue to address the current political situation through dialogue, within the parameters established by the Constitution of Lebanon.

A trilateral meeting was held in Damascus on 17 January to discuss the situation in Lebanon, which was attended by Syrian President Al-Assad, Turkish Prime Minister Erdoğan and Emir Sheikh Hamad bin Khalifa Al-Thani of Qatar. On the following day, the Prime Minister and Foreign Minister of Qatar, together with the Foreign Minister of Turkey, held a series of meetings with all concerned parties in Beirut.

On 17 January, the Prosecutor of the Special Tribunal for Lebanon announced that he had submitted an indictment and supporting materials to the pre-trial judge for his review on that day. The content of the indictments would remain confidential at this stage. In that regard, the Secretary-General noted that the filing of an indictment by the Prosecutor was in pursuit of the Special Tribunal's mandate to end impunity for the terrible crimes that took the life of former Lebanese Prime Minister Rafiq Hariri and 22 others, and related attacks. The Secretary-General reiterated his call on all parties to refrain from attempts to interfere in, or to influence, the work of the Special Tribunal, underlining that the independent judicial process should not be linked with any political debate and that it was important not to prejudge its outcome.

In the early hours of 18 January, organized groups of unarmed men — reportedly from Hizbullah — deployed in various parts of Beirut for several hours. They withdrew before 8 a.m., without causing further disruption to normal life and business in the city. The Lebanese Army eventually deployed personnel in several locations of Beirut, citing the need to reassure citizens.

The overall situation in the area of operations of the United Nations Interim Force in Lebanon was generally calm and stable. Almost daily intrusions into Lebanese airspace by aircraft of the Israel Defense Forces, in violation of resolution 1701 (2006), have continued in high numbers.

Preserving the stability of Lebanon and ensuring an end to impunity there is essential, if only because the Lebanese themselves have a right to both. But it is also critical to the broader fate of a region that needs, more than anything else, all elements to be conducive for progress towards comprehensive peace.

Efforts to bring Israelis and Palestinians to engage seriously on final status issues will be at the top of the agenda when the Quartet meets in Munich. Our collective task remains to spare no effort to support the search for a negotiated solution that will end the occupation that began in 1967 and end the conflict, establishing an independent and viable Palestinian State with Jerusalem emerging as the capital of two States living side by side in peace and security. We will continue to do all we can to promote dialogue and preserve the stability and security of the region as a whole, in pursuit of the comprehensive regional peace envisaged in the Madrid terms of reference, the relevant resolutions of the Council and the Arab Peace Initiative.

The President: I thank Mr. Pascoe for his briefing.

I now give the floor to the Permanent Observer of Palestine.

Mr. Mansour (Palestine): On behalf of Palestine, I congratulate the fraternal country of Bosnia and Herzegovina on its presidency, confident of your wise stewardship, Sir, of the Security Council. We express appreciation as well to the United States of America for its skilled guidance of the Council last month.

I also wish to extend Palestine's sincerest congratulations to the new members of the Security Council, the friendly countries of Colombia, Germany, India, Portugal and South Africa. We express full confidence in their commitment to upholding the Charter, international law and the Council's resolutions, and we wish them every success in fulfilling their responsibilities. I also convey Palestine's appreciation to the Council members whose terms ended in December 2010, the friendly countries of Austria, Japan, Mexico, Turkey and Uganda, who served with skill and dedication in the pursuit of peace and security, including with regard to the efforts to address the question of Palestine.

I also thank Under-Secretary-General Lynn Pascoe for his briefing and, through him, express our appreciation to Secretary-General Ban Ki-moon for his leadership on this important issue and his commitment to upholding the principled positions enshrined in the relevant United Nations resolutions.

While a new year should begin with hope and optimism, the Palestinian people regrettably begin yet another year facing serious challenges and hardship under Israel's now nearly 44-year military occupation of the Palestinian territory, including East Jerusalem.

It is unimaginable that two years have passed since the December 2008-January 2009 Israeli military aggression in the Gaza Strip, and the Palestinian people are still being prevented from reconstructing and rehabilitating their communities and lives. There has been no accountability for the crimes perpetrated by the Israeli occupying forces and no justice reached for the victims. Resolution 1860 (2009) remains unimplemented, and the Israeli blockade of Gaza continues. The debilitating effects of that military aggression and the blockade continue to impair the socio-economic and humanitarian conditions of the Palestinian civilian population and to sow the seeds of despair and hopelessness, with grave consequences for Palestinian society now and in the future.

We continue to call for the immediate and full lifting of the Israeli blockade and the sustained opening of Gaza's border crossings for the movement of persons and goods. This is vital to allowing the long-overdue reconstruction process to truly get under way, and to economic and social recovery through the restoration of livelihoods, dignity and hope. We deplore the escalation of violence, particularly the recent Israeli military attacks in Gaza and the perpetration of yet another extrajudicial killing of a Palestinian in the recent period, raising tensions and instability.

As all are aware, Israel, the occupying Power, also continues to carry out illegal settlement activities throughout the West Bank, including East Jerusalem, in violation of international law, United Nations resolutions and the Quartet Road Map obligation to freeze all settlement activities, including so-called natural growth. Israeli settlement construction and expansion have feverishly intensified since the expiration of the so-called partial moratorium, in flagrant contempt of the united calls for a full cessation of all such illegal policies and measures.

The confiscation of Palestinian land, the construction of settlements and so-called outposts, the transfer of more settlers, home demolitions and evictions, the construction of the wall, the imposition of hundreds of checkpoints and other colonization measures have not ceased for a single moment. This has included the approval of thousands of new settlement units, in addition to the construction of thousands of units already under way; the continued construction of the so-called Jerusalem light rail; the demolition of the historic Shepherd's Hotel; and ongoing settler violence against Palestinian civilians and properties — a phenomenon fostered by the military, financial and physical support, and incentives provided by the Israeli Government, including the failure to hold the perpetrators accountable for their crimes.

As indicated in recent letters to the President of the Council, occupied East Jerusalem in particular remains the target of an extremely aggressive campaign to illegally alter its demographic composition, status and distinctly Palestinian Arab character and identity, and to isolate it from the rest of the Palestinian territory. Such illegal actions in East Jerusalem, in addition to provocative statements by Israeli officials, including the Prime Minister and the Foreign Minister, continue to be inflammatory, threatening further destabilization and stoking religious sensitivities.

The cumulative impact of this illegal Israeli policy on the contiguity, integrity, unity and viability of the Palestinian territory has been destructive and had an equally destructive impact on the drive for peace. Once again, in the tortured history of the peace

process, we face an impasse and the further erosion of trust and confidence between the parties. Israel continues to demonstrate to the Palestinian people in word and deed that it is not a credible peace partner and remains unwilling to abide by the principles underpinning the process and fundamental to reaching any peace treaty.

It is widely recognized that Israel's settlement campaign now poses the most serious threat to the prospect of achieving the two-State solution for peace on the basis of the pre-1967 borders. As such, it constitutes a direct threat to the prospects for peace and security in the Middle East region — a goal long on the Council's agenda. Rather than progressing towards actually bringing an end to the occupation that began in 1967, Israel's settlement campaign has entrenched the occupation and continues to hamper all peace efforts, to the grave detriment of the Palestinian people, the region and the international community, which continues to face the instability and crises caused by the ongoing conflict, which remains at the core of the Arab-Israeli conflict as a whole.

As has been repeatedly stated and widely acknowledged, we are at a crossroads. After nearly two decades of the peace process, we are rapidly facing the demise of the two-State solution if nothing is done to stop the unlawful and destructive colonization campaign and to compel Israel to finally abandon its expansionist agenda and abide by its legal obligations and international commitments.

We come before the Security Council once again to appeal to it to uphold its duties under the Charter to address these ongoing Israeli violations in the occupied Palestinian territory, including East Jerusalem, and to help us to overcome the current impasse in the search for peace. We believe that Israel's intensification of settlement activities, despite the global calls and demands for cessation, requires an equally intense response from the international community. A strong message needs to be sent that we are entering a new era and that Israeli defiance of the law and the will of the international community will not be tolerated at the expense of the realization of peace and security, to which our peoples are entitled and for which they continue to suffer and strive.

As early as March 1979, the Security Council, in its resolution 446 (1979), had the foresight to declare its determination:

> "that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East" (*resolution 446 (1979), para. 1*).

In that same resolution, the Council clearly called once again upon Israel, the occupying Power,

> "to abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Times of War, to rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem, and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories" (*ibid. para. 3*).

That resolution, and subsequent ones adopted by the Council, reflected the political will of the international community at that time, in line with international humanitarian law. Those resolutions remain valid today. They constitute the basis of the international consensus rejecting Israel's unlawful settlement campaign and deeming it the major obstacle to the achievement of a just and lasting peace on the basis of the two-State solution. Even back then, there was global recognition that the settlements were contrary not only to the law, but also to the aim of ending the Israeli occupation that began in 1967.

While the legal positions, principles and concerns remain exactly the same today, the situation on the ground is far worse, owing to Israel's continuous breaches and the failure of the Security Council to implement its resolutions. The inability of the international community to uphold its legal responsibilities under United Nations resolutions and the 2004 Advisory Opinion of the International Court of Justice, and the failure of the high contracting parties to uphold the obligation, under article 1 of the Fourth Geneva Convention, to respect and ensure respect for the Convention in all circumstances, have allowed Israel to persist with its settlement activities with impunity for years, including under the cover of the peace process. The result is now 180 settlements, 100 so-called outposts and over half a million Israeli

settlers in the occupied Palestinian territory, including East Jerusalem, including numerous Israeli Government officials, which has deepened the occupation and further compounded this problem.

The settlements are not, of course, the only final status issue in the Israeli-Palestinian conflict, which involves the core issues of Palestinian refugees, Jerusalem, settlements, borders, security, water and Palestinian prisoners — all of which must be justly resolved in order to secure a lasting peace. However, it is an established fact that the settlements represent the major obstacle to peace because of the physical destruction being caused to the two-State solution and because the settlements are linked to and seriously affect almost all other final status issues, in particular Jerusalem, borders, security and water. The impact of the settlements on those issues is vastly detrimental and complicates their resolution by prejudicing the outcome of negotiations, as those issues are being illegally predetermined by the occupying Power in its attempt to impose a fait accompli.

At this moment, it is clear that the settlements are an existential threat to the two-State solution, based on the relevant United Nations resolutions, the Madrid principles, including the principle of land for peace, the Arab Peace Initiative and the Quartet Road Map. With every stone that is laid, the Palestinian territory is further fragmented, the viability of the Palestinian State is further impaired, and the potential for achieving the two-State solution further dwindles, giving increasing rise and lending credence to other alternatives. Action by the international community to reverse the deterioration of the situation and salvage the prospects for peace is thus of the utmost urgency.

In that regard, international consensus on the two-State solution is far greater today than it was in 1947, at which time there was in fact no consensus on partitioning Mandate Palestine. Yet, the political will was found to take that decision, propelling us on a course of conflict and tragedy that remain unresolved to this day.

It is high time that the international community bolster its resolve to act on the consensus of the two-State solution, in fulfilment of its responsibility towards the question of Palestine. In the immediate period, this requires acting on the consensus in rejection of Israel's settlements in the Palestinian territory occupied since 1967, including East Jerusalem.

It is time to find the political courage to implement the Council's resolutions towards the achievement of a just, lasting, comprehensive and peaceful solution to the Israeli-Palestinian conflict and to the Arab-Israeli conflict as a whole. We cannot continue to allow one State — Israel, the occupying Power — to continue obstructing the realization of peace and security in the Middle East. It cannot be allowed to continue to oppress and colonize the Palestinian people, denying them their inalienable rights, including their right to self-determination and independence in their homeland, and to defy the international community without consequence.

In regard to the draft resolution presented to the Security Council by Lebanon on behalf of its sponsors, which number 122 thus far — and we hope that many others will follow suit — I wish to thank our brothers in Lebanon and all of the 122 countries that have sponsored the draft resolution for their efforts and support. The draft resolution, sponsored by a majority of Member States, represents a constructive, collective effort to address this burning issue and to positively chart the way forward, in line with international law, United Nations resolutions and the international position in that regard.

After years of silence on illegal Israeli settlement activities, the Security Council, mandated to address issues endangering international peace and security, is duty-bound to redress the matter at this critical juncture. Israel must be compelled to cease completely its settlement campaign in the occupied Palestinian territory, including East Jerusalem, and begin its reversal, which would represent a serious reflection of the Israeli intent to roll back the occupation and to move towards ultimately ending it. There is no justification whatsoever for allowing or accepting continued settlement activities while we are trying to negotiate an end to the occupation. We reiterate that settlements and peace negotiations aimed at ending the occupation that began in 1967 are diametrically opposed and cannot coexist.

A cessation of Israeli settlement activities is essential to improving the situation on the ground, building confidence between the two sides and promoting an environment conducive to the resumption of direct peace negotiations that are fair, credible and meaningful and that can be accelerated towards achieving a successful outcome. That outcome is the realization of the two-State solution with the

achievement of the independence of the State of Palestine, with East Jerusalem as its capital, living side by side with Israel in peace and security, and a just, agreed solution for the Palestine refugee question based on General Assembly resolution 194 (III).

The potential for resuming such a credible peace process is rapidly disappearing. We must not allow the efforts exerted internationally and regionally, including by the United States, the other Quartet members — the European Union, the Russian Federation and the United Nations — the League of Arab States and all other concerned members of the international community, as well as by the Palestinian side, under the leadership of President Mahmoud Abbas, to be in vain or to continue to be arrogantly ignored and undermined by the occupying Power.

We therefore reiterate our call on the Security Council to shoulder its responsibilities and reaffirm its strong position in rejection of Israel's illegal settlement activities. We know there is unanimity among Council members on this matter and we urge them to take action aimed at removing this major obstacle to peace and security in our region.

Israel must be compelled to cease all settlement activities in the Palestinian territory, including East Jerusalem; to abide by its legal obligations, including under the Fourth Geneva Convention; and to truly commit to the path of peace. Moreover, we firmly believe that the time has come for the Council to reassert its rightful role vis-à-vis the efforts to attain a just, lasting and comprehensive peace settlement to the Israeli-Palestinian conflict.

The Palestinian people and their leadership remain committed to peace. They continue to work hard to rebuild and develop their national institutions and to heal and strengthen their society as they strive to realize their right to self-determination in an independent State. The State-building plan launched by Prime Minister Salam Fayyad in August 2009 is being pursued with determination and is moving towards the final implementation stage of the second phase — the "Homestretch to Freedom" — which we hope to complete by August 2011, when we believe our national efforts for independence will converge with the international efforts in this regard.

We are grateful for the strong international support for this initiative. We are also deeply grateful for the principled position that has now been taken by 107 Member States — nine of them seated at this table, not including Palestine — of extending recognition to the State of Palestine on the basis of the pre-1967 borders. This effort is of course in line with the relevant United Nations resolutions and the international consensus on the two-State solution for peace.

We are heartened by the political, humanitarian and development support and solidarity extended to Palestine from all corners of the globe. Thus, despite our deep disappointment and frustration in the recent period, we have not lost hope and will continue to strive to realize our legitimate national rights, refusing to allow the occupying Power to unilaterally determine our fate and destiny as a people. We call on all members of the international community, including the Security Council, to uphold their responsibility to help us end this long and tragic conflict and to finally usher in an era of peace, security and coexistence for the Palestinian and Israeli peoples and the Middle East region as a whole.

The President: I thank the Permanent Observer of Palestine for his statement.

I wish to remind all speakers to limit their statements to no more than four minutes, in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate their texts in writing and to deliver a condensed version when speaking in the Chamber.

Mrs. DiCarlo (United States of America): I thank Under-Secretary-General Pascoe for his briefing today.

The United States remains committed to a two-State solution to the Israeli-Palestinian conflict that is agreed to by the parties. We call on both parties to return to good-faith, direct negotiations, which remain the best path for the parties to reach a solution resolving all issues, ending all claims and establishing a sovereign State of Palestine alongside a secure State of Israel as a key part of a comprehensive peace among Israel and all of its neighbours. There is no better alternative to reaching mutual agreement: the stakes are too high, the sorrows too deep and the issues too complex.

The United States policy on settlements has not changed and will not change. We believe that continued settlement expansion is corrosive not only to

peace efforts and the two-State solution but also to Israel's future itself. The fate of existing settlements is an issue that must be dealt with by the parties, along with other permanent status issues. But like every United States Administration for decades, we do not accept the legitimacy of continued Israeli settlement activity.

The United States policy on Jerusalem also remains unchanged. The status of Jerusalem and all other permanent status issues should be resolved through negotiations between the parties. The United States recognizes that Jerusalem is a deeply important issue for Israelis and Palestinians, as it is for Jews, Muslims and Christians around the world. We believe that through good-faith negotiations the parties can agree to an outcome that realizes the aspirations of both parties for Jerusalem and safeguards its status for people around the world.

We are therefore very concerned by the commencement of demolition of the Shepherd Hotel in East Jerusalem and reports that Israel will consider planning for 1,380 new units near Gilo. These disturbing developments undermine peaceful efforts to achieve the two-State solution and contradict the logic of a reasonable and necessary agreement between the parties. We have long urged both parties to avoid actions, including in Jerusalem, that may undermine trust or prejudge negotiations.

Ultimately, the lack of a resolution to this conflict harms Israel, the Palestinians, the United Sates and the international community. We will continue to press ahead with the parties to resolve the core issues, including Jerusalem, in the context of a peace agreement.

As we have consistently said, permanent status issues can only be resolved through negotiations between the parties, and not by recourse to the Security Council. We therefore consistently oppose attempts to bring these issues to the Council and will continue to do so because such action would move us no closer to the goal of a negotiated final settlement; rather, we believe, it would only complicate efforts to achieve that goal.

We are troubled by the violence in recent weeks involving civilians. We condemn continued and escalating incidents of rocket fire from Gaza into southern Israel. We must work together to stop Hamas and other violent extremists from launching terrorist attacks and from bringing increased misery to the people of Gaza. We once again call on Hamas to immediately release the Israeli soldier Gilad Shalit, abducted by Hamas and held since 2006. We also call upon the Government of Israel to fully investigate the deaths of at least three Palestinian civilians in encounters with Israeli forces in the West Bank since 1 January.

We remain concerned about the situation in Gaza. The United States is working with the Palestinian Authority, Israel and international partners to improve the lives of ordinary people there and to increase the flow of needed commercial goods and construction supplies while taking appropriate measures to ensure that they do not fall into the wrong hands.

We are pleased with Israel's decision to allow exports from Gaza, which will foster legitimate economic growth there. This is an important and overdue step, and we look forward to seeing it implemented soon. We also welcome the recent approval of additional United Nations and international reconstruction projects for Gaza.

The United States remains convinced that peace in this troubled region is both necessary and possible. We will persist. We will push the parties to grapple with the core issues. As Secretary of State Clinton said in her speech to the Saban Forum in December, in the context of our private conversations with the parties, we will offer our own ideas and bridging proposals when appropriate. We will also work with the Palestinians to continue laying the foundations for a future Palestinian State. Israelis deserve to be able to live in security, at peace with their neighbours and confident in their future. And Palestinians deserve to have the dignity and justice of a State of their own and the freedom to chart their own destiny.

Let me now turn to Lebanon. We echo the Secretary-General's statement of support for the Special Tribunal for Lebanon and his call to all parties to refrain from any interference or influence in its work. We welcome the recent announcement by the Prosecutor for the Tribunal that he has filed an indictment related to the assassination of former Prime Minister Rafiq Hariri and 22 others. This represents an important step towards ending the era of impunity for political murder in Lebanon and achieving justice for the Lebanese people.

We urge that Lebanon's constitutional process be followed in selecting its next Government and we encourage all parties to avoid threats or actions that could cause instability in Lebanon or the region. We urge this Council and the international community to remain firm in its support for Lebanon's sovereignty and independence, resolute in its commitment to all Security Council resolutions related to Lebanon and vigilant to threats to international peace and security.

We commend the efforts of France, Qatar, Saudi Arabia, Turkey and other key international and regional actors working to maintain calm in Lebanon and ensure that the Tribunal's work continues unimpeded.

We support French President Sarkozy's intention to form a contact group to help resolve the political crisis in Lebanon. We support a political outcome that reduces tension and allows the Lebanese Government to return to the business of the people without undermining the Special Tribunal for Lebanon. The Lebanese people should not have to choose between justice and stability. Like all nations, Lebanon deserves both.

Finally, let me say a few words about the situation in Tunisia, which is important to the Middle East as a whole. The United States stands with the entire international community in bearing witness to this brave and determined struggle for the universal rights that we must all uphold. We will long remember the images of the Tunisian people seeking to make their voices heard. We urge all parties to maintain calm and avoid violence, and we call on the interim Tunisian Government to respect human rights and to hold free and fair elections that reflect the true will and aspirations of the Tunisian people. The United States is prepared to assist the people and the interim Government of Tunisia as they move towards these elections.

Mr. Salam (Lebanon) (*spoke in Arabic*): As Council members know, the sixth paragraph of Article 49 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Times of War states that "[t]he Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies". The International Committee of the Red Cross has recognized that the purpose of that paragraph of the Convention is to prevent the recurrence of actions carried out by certain States during the Second World War, which transferred a portion of the population of territories occupied by them for political and ethnic reasons with a view to colonizing those territories. Those explanations require no further comment.

Article 8, paragraph 2(b)(viii) of the 1998 Rome Statute of the International Criminal Court identifies as a war crime "[t]he transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies".

After having reaffirmed in resolution 446 (1979) that the Fourth Geneva Convention applied to the Arab territories occupied by Israel since 1967, the Security Council affirmed in paragraph 1 of the resolution that

> "the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East".

The Security Council has reaffirmed that position for over 30 years, including in resolutions 449 (1979), 452 (1979), 465 (1980), 476 (1980) and 478 (1980) regarding settlement activities. Similarly, the General Assembly has reaffirmed it in dozens of resolutions. Most recently, resolution 65/104 reaffirms that settlement activities in Arab territories occupied since 1967 are illegal and constitute an obstacle to achieving peace. The Assembly has called for the immediate and complete cessation of settlement activities.

The International Court of Justice concluded in paragraph 120 of its 2004 advisory opinion on the legal consequences of the separation wall that the settlements in the occupied Palestinian territories, including East Jerusalem, were created in violation of international law. It is also worth noting that the Road Map adopted by the international Quartet and by the Security Council in resolution 1515 (2003) calls on Israel to freeze all settlement activity, including natural growth of settlements, and to immediately dismantle settlement outposts erected since March 2001.

The Joint Understanding of the 2007 Annapolis Conference reaffirmed the fact that the parties were to continue to implement their mutual commitments in accordance with the Road Map until the achievement of a peace agreement. This includes Israel's commitment to freezing all settlement activities. The Security Council adopted the contents of the Joint

Understanding in resolution 1850 (2008). Pursuant to that declaration, the international Quartet continues to call for implementation of the provisions of the Road Map, including freezing all settlement activities, most recently in its statement of 21 September 2010.

The provisions of international law with respect to the settlements include the resolutions of the Security Council and the General Assembly, the Advisory Opinion of the International Court of Justice, and the positions of the Quartet on the subject of Israeli settlement activities. However, these are the very positions and provisions that Israel continues to disregard and to defy. In point of fact, Israel's settlement policy was established and has continued since 1967. To date, neither international legitimacy nor the peace efforts has not dissuaded Israel or stopped it from carrying out settlement activities. For example, the numerous settlements today include more than 517,000 settlers within the occupied Palestinian territories, including East Jerusalem. This is more than twice the number that existed on the eve of the 1993 Oslo agreement. It is striking that the number of settlers since 1990 has increased by 4.9 per cent annually — three times more than the rate of growth of Israeli society, which is at only 1.5 per cent.

Since the Israeli Government lifted the freeze on settlements last September — a freeze that was only partial, in point of fact — the settlement activities have not only reached their previous rate of growth but doubled to the point that, during the first six weeks after that September date, they had made up for that 10-month freeze and even gone beyond it.

Those are the latest developments in settlement activity, the latest challenge of which was on 16 January 2011, when Israel declared that it was building 1,400 new housing units.

Israel's settlement policy is not only a challenge to the will of the international community and a violation of the provisions of international law. It carries the danger that Palestinian land is being absorbed and dismantled, and in that way the basis of the two-State solution is being undermined.

While we recognize all the international efforts to resolve the Arab-Israel conflict — in particular the efforts of President Obama's Administration — if the Council today cannot oppose the grave dangers of Israel's settlement activities, then its credibility and effectiveness will be hampered. Our image will be affected because the impression would then be that a double standard is being applied with regard to certain States while the actions of another are ignored, as if that State were above the law and could not be subject to any accountability.

We therefore submitted yesterday a draft resolution on Israel's settlement activities, and it has been circulated to the Council in blue ink (S/2011/24). We are proud to see the unprecedented number of sponsors for this draft — more than 120 States — and we express our full gratitude to them. The purpose of this draft resolution is to ensure that the Council will stand on the side of justice, and we trust it will play its role in supporting this draft resolution unanimously in the very near future.

Just as the Council has responded and spoken in a single voice when adopting historic resolutions — resolutions 242 (1967), 252 (1968), 338 (1973), 446 (1979), 1397 (2002), 1515 (2003) and 1850 (2008) — we invite it to speak with a single voice on the settlement activity and say that enough is enough.

Mr. Araud (France) (*spoke in French*): I would like to thank the Under-Secretary-General for Political Affairs for his briefing and the Permanent Observer of Palestine for his statement.

France associates itself with the statement to be made by the Head of the Delegation of the European Union.

The peace process in the Middle East remains at an impasse. On 21 September the Quartet established a one-year deadline to achieve a framework agreement on all final status issues for the creation of a sovereign, independent, viable and democratic Palestinian State living in peace alongside Israel within safe and recognized borders. We recall the importance of achieving this goal because more than ever, time is working against peace.

Attaining this objective in 2011 means the swift resumption of negotiations on final status issues, which is the only way to bring an end to the conflict. The deadline established by the Quartet is ambitious, but this urgency is dictated by the situation on the ground, where the viability of a two-State solution seems more threatened every day. In the immediate term, moves to recreate the conditions for confidence that are necessary for negotiations, both politically and on the ground, are awaited.

The parameters for a negotiated solution are known, and we do not need to reinvent the foundation of a process that has been under way for some 20 years now. Moreover, the European Union publicly recalled those parameters recently. Accordingly, France deems it necessary, in line with what Mrs. Clinton said in her speech at the Saban Forum, to call on the parties to provide their positions on the main final status issues. We welcome the fact that the United States is planning to provide the parties with its proposals if that becomes necessary, but we recall that a close involvement of the other members of the Quartet and certain Arab States in those efforts would increase their chances of succeeding. The international community, including within this Council, must indeed be able to support those efforts in all their forms and confer on them the necessary legitimacy. We thus hope that the forthcoming meeting of the Quartet, on 5 February, will contribute to recreating conditions of confidence that are necessary between the parties.

France and the European Union have reiterated their availability to make a substantial contribution to a peace agreement and to the arrangements that that would involve. That is the message that the French Minister for Foreign Affairs, Mrs. Michèle Alliot-Marie, while visiting the region from the 19 to 23 January, will bring to the parties, as well as to the two main regional actors in the peace process, Egypt and Jordan. The support of States in the region for the political process, based on the Arab Peace Initiative, remains crucial.

This objective involves preserving the viability of the two-State solution on the ground. Given the increasing speed of construction, the international community, in particular this Council, cannot relax its attention with regard to the question of settlement activity. As the European Ministers recalled on 13 December, settlement activity is illegal. It is an obstacle to peace, as it undermines confidence between parties and the viability of prospects for peace.

France desires that initiatives in this area may constitute a constructive element of the effort to relaunch discussions between the parties on all final status issues. There will be no solution to the conflict without a cessation of settlement activity, including with regard to natural growth of existing settlements.

We are asking in particular for the cessation of all measures that affect the demographic balance in Jerusalem, which is destined to become the capital of the two States. In East Jerusalem, settlement activity is not only illegal but increases the likelihood of violent incidents in the Holy City, with political implications that are to be feared. At present, France is concerned by the situation and condemns the recent demolition of Shepherd Hotel in order to build a new settlement in the Palestinian quarter of Sheikh Jarrah. We call on the parties to avoid all provocation in a context of increasing tensions. This situation on the ground, like the increasingly fragile political outlook, is likely to undermine the projects of the Fayyad plan, which is main tangible achievement on the way to the attainment of a Palestinian State since the Annapolis Conference in 2007.

The support of the international community for the Palestinian Authority and for President Abbas in order to strengthen the institutions for a future Palestinian State must not waver. In order to consolidate this international support, the President of France announced our country's willingness to organize a second donor conference in Paris in the spring. This should be linked to the political process; it can in no way be an economic substitute for the peace process. The challenge is also for Israel to align itself with this movement in a much more determined way, particularly in the West Bank. Gestures have been made on the ground, but they remain insufficient, especially in terms of freedom of movement and access.

The situation in Gaza continues to be of concern. A change in approach, without infringing on Israel's security imperatives, is necessary and possible. Our Minister of State, who is going to Gaza, will reaffirm our willingness to contribute to this.

France welcomes the Israeli Government's recent decision to authorize the export of several categories of products from the area and to develop infrastructure at crossing points. This announcement is in the right direction, as it promotes the growth of Gaza's economy by supporting the development of its private sector. We should work together to ensure that it is rapidly implemented, and secure complementary measures that can help achieve a comprehensive lifting of the blockade. In that regard, we are also awaiting sped up implementation of United Nations construction projects and a relaxation in restrictions on movement in and out of the Gaza Strip. The European Union has proposed concrete assistance in that regard.

We must not forget Gilad Shalit, who has been a hostage in the Gaza Strip for four years now, in disregard of the principles of international humanitarian law and basic humanity. France remains ready to help achieve his immediate and unconditional release. We also continue to call for an immediate halt to all violence, particularly rocket fire into southern Israel.

With regard to the political crisis that Lebanon is currently experiencing, France supports the Lebanese authorities and remains committed to respect for institutions and the framework defined by the Taif Agreement, as well as democratic principles and the stability, independence and sovereignty of Lebanon. We encourage the Lebanese people and representatives of Lebanese institutions to find a solution to the current crisis through dialogue. Given recent developments, following discussions with the main Lebanese and regional stakeholders, France's President has proposed international consultations to help Lebanon overcome the difficulties it faces. France is of course coordinating its efforts with the Secretary-General.

With regard to the Special Tribunal for Lebanon, on 17 January the Prosecutor submitted an indictment to the judge, thus launching the judicial phase of the Tribunal's work. France of course fully supports the work of the Special Tribunal for Lebanon, which was established by resolution 1757 (2007). We call on all parties, especially those in Lebanon and the region, to respect the Tribunal's independence, to reject any political manipulation and to refrain from hindering the Tribunal's work. Lastly, in this very unstable environment, we call on all parties to respect resolution 1701 (2006), and commend the work done in southern Lebanon by the United Nations Interim Force in that country.

The regional aspect of the peace process is crucial. We are working to create the conditions for a renewal of negotiations between Syria and Israel, in close cooperation with the United States and Turkey.

The Middle East is a region of great cultural, human and religious diversity. Peace and stability there is inconceivable without the preservation of the culture of tolerance and respect that is the foundation of the region's richness. The recent attacks aimed at religious communities demonstrate a desire to fuel hatred. We must join forces with those countries that have been attacked so we can together fight terrorism and combat those who want to promote the notion of a conflict between civilizations. The perpetrators of such terrorist acts must be prosecuted. Members of religious minorities must be able to live in safety in their countries. France stresses the importance of the effective protection of minorities, of respect for their freedom of religion and belief and of the promotion of tolerance. We encourage and support the efforts of the Governments of the region to that end.

Mr. Moungara Moussotsi (Gabon) (*spoke in French*): First of all, let me begin by thanking Under-Secretary-General for Political Affairs Lynn Pascoe for his briefing.

Our debate is taking place at a time when the peace process in the Middle East remains at an impasse. It should be remembered that this follows Israel's lifting of the moratorium on Jewish settlement activity in the Palestinian territories. My delegation therefore urges both parties to resume direct dialogue, which is an essential condition for arriving at an acceptable and definitive settlement of the conflict. As we have always emphasized, the goal is the establishment of a viable Palestinian State living side by side with Israel within secure and internationally recognized borders.

We wish to reaffirm our appreciation for the diplomatic efforts being made by the United States of America, the Quartet and countries of the region aimed at restarting direct peace negotiations. We urge them to continue their efforts. In that regard, we welcome the announcement of an upcoming Quartet meeting to be held in Munich in the next few days.

There will be no lasting solution to the Israeli-Palestinian crisis unless it is part of a process towards a comprehensive negotiated settlement of the various crises in the region. We are convinced that the effective involvement of countries of the region in peace talks is absolutely essential to achieving these goals.

With regard to Lebanon, we urge the country's political leaders to pursue dialogue and national reconciliation in order to ensure unified participation in a comprehensive peace process in the region. We hope that the current political crisis associated with the work of the Special Tribunal for Lebanon will be resolved through negotiations.

Lastly, we reaffirm our support for the United Nations Interim Force in Lebanon (UNIFIL) and its

mandate. We urge Israelis and Lebanese to cooperate with UNIFIL to ensure the full implementation of resolution 1701 (2006).

Mr. Osorio (Colombia) (*spoke in Spanish*): At the outset, let me extend my thanks to Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs, for his report on the situation in the Middle East, including the question of Palestine. I should like to point out that his briefing on recent events in the region is very disturbing. I should also like to thank Ambassador Riyad Mansour for his statement to the Council.

We are gathered in the Council today to consider the situation in the Middle East and, in particular, the issue of settlements in the Palestinian territories. That is without a doubt an important issue that must be resolved in the context of the search for a negotiated settlement to a long-standing historic conflict. We believe that the settlements violate international law, the agreements established in the Road Map and the negotiations conducted by the Quartet.

The Middle East issue has historically occupied a permanent place in Colombia's foreign policy, which includes a vision of Statehood. Even prior to the General Assembly's resolution approving the partition of Palestine in 1947, Colombia had referred to the importance of ensuring genuine viability in the process, which should be both stable and lasting. Former Colombian President Alfonso López, our first Permanent Representative to the United Nations, said in 1947 that "to divide Palestine without a real alternative for the Palestinians would be a monumental error". History has shown that our illustrious compatriot was right. It was as true then as it is now that we need to find a settlement that provides a better basis for understanding and a comprehensive solution to the unstable situation in the region.

Consistent with this conviction, Colombia abstained in the voting on the resolution, despite our belief that it was just to provide a national homeland for Jews and Palestinians alike. However, we never had any doubts about the core issue. Since then, and in the following decades, the Colombian position has remained clear. Israel is a State with the right to exist in peace within secure borders, while the Palestinians have the right to their own State where they can live side by side with Israel in peace and work for common prosperity.

Whenever we have been in the Security Council, we have voted in favour of resolutions that seek to establish lasting peace in the region. Moreover, on a number of occasions, we have sponsored proposals to that end within the various United Nations bodies. We believe that two ancient peoples who have contributed so much to science, the arts and the world economy have the right and the obligation to live in peace. Jewish and Palestinian immigrants alike have contributed to the prosperity and even the identity of our country. We view with interest and approval any approach aimed at achieving and consolidating lasting peace in the region.

For Colombia, the peaceful settlement of disputes, the obligation not to use force in international relations and the self-determination of peoples are fundamental principles, as are human rights and respect for the dignity of all, without exception.

Israelis and Palestinians can no longer remain in a situation of confrontation and mistrust. We strongly urge both parties to continue negotiations on the basis of mutual respect and recognition of the identity and rights of each people.

Colombia has the highest regard for peace, built on a solid and realistic basis, and we offer our firm support to every possible approach aimed at promoting sustainable and balanced solutions in the Middle East.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We thank Under-Secretary-General Pascoe for his briefing on developments in the situation in the Middle East.

The situation in the region remains tense and of particular concern to us is the lack of progress towards the resumption of direct Palestinian and Israeli dialogue. The current visit to the Middle East by the President of Russia, Dmitry Medvedev, is focused first and foremost on finding ways to renew the regional peace process. During his visit, the President of Russia has laid out our view of how to achieve lasting peace in the region. First, both sides should refrain from unilateral moves that may predetermine the outcome of a settlement, respect their international obligations, display political will and a willingness to adopt confidence-building measures, and promote sustainable dialogue that would facilitate the effective settlement of the whole range of final status issues.

Israel should freeze its settlement activities in the West Bank and East Jerusalem, which violate international law. It should honour the requirements of the relevant Security Council resolutions and the decisions of the Quartet of international mediators. Acts such as demolishing the Palestinian Shepherd's Hotel in order to build more settlement units only further complicate the situation. We trust that the Israeli leadership will finally heed the unwavering requirements of the international community. At the same time, the legitimate security interests of Israel must be ensured and rocket attacks on Israeli territory must end.

Of equal relevance is the objective of restoring intra-Palestinian unity on the Palestine Liberation Organization platform. Russia continues to actively facilitate this by supporting the relevant mediation efforts, primarily those of Egypt.

Along with these efforts, there is a need for further measures to lift the blockade of the Gaza Strip in order to improve the humanitarian and socio-economic situation there. Among the efforts needed to ensure progress in a Palestinian and Israeli settlement is to focus on generally recognized international legal bases, including Security Council resolutions, the decisions of the Quartet and the Arab Peace Initiative.

The forthcoming ministerial meeting of the Quartet on 5 February in Munich, convened on Russia's initiative, should determine practical steps for a swift resumption of the Palestinian and Israeli negotiation process. The ultimate aim of this process is to implement the two-State solution of Palestine and Israel coexisting in peace and security within internationally recognized borders.

Russia consistently supports the right of Palestinians to establish their own independent, contiguous and viable State, with its capital in East Jerusalem. Everyone — Palestinians, Israelis and the entire Middle East region — will gain from that.

In speaking at the joint press conference with Palestinian President Abbas in Jericho, President Medvedev confirmed that the Russian initiative to convene an international conference on the Middle East in Moscow remains on the table. The aim is not just to meet, but to achieve significant progress towards achieving a comprehensive Middle East settlement. If we manage to move the negotiating process forward, including during consultations with the Quartet, the prospects for the Moscow conference will become clearer.

Recent events in Lebanon concerning the resignation of the Government are of serious concern to us. Of principal importance now is that the situation remains in the constitutional sphere. To that end, the Lebanese parties need to display calm and restraint and avoid making moves that would exacerbate the situation and harm both the Lebanese and the entire region. Despite existing political disagreements, the search for dialogue-based solutions to contentious issues on the national agenda is in the interest of all Lebanese and must be maintained.

The work of the Special Tribunal has moved into a new phase. We trust that the decision of the Tribunal will be considered extremely carefully and based on evidence. This will not only directly determine the triumph of justice and the fair prosecution of perpetrators, but will also maintain peace and stability in the country and in the region as a whole.

Mr. Wang Min (China) (*spoke in Chinese*): I wish to thank Under-Secretary-General Pascoe for his briefing. I have also listened carefully to the statement made by the Permanent Observer of Palestine.

The current situation in the Middle East remains complex and fragile and is a source of concern. The international community should continue to push for a political settlement of the question of Palestine. This is not only in line with the universal expectations of the people of the region, including the Palestinians and Israelis, and the international community, but also touches directly on lasting peace and security in the Middle East.

China has always maintained that, on the basis of relevant Security Council resolutions, the principle of land for peace, the Arab Peace Initiative and the Middle East Road Map to peace, Palestine and Israel should settle their differences through dialogue and negotiation that will result in the establishment of an independent State of Palestine so that Palestine and Israel can coexist in peace.

At present, the issue of settlements is the greatest obstacle to the resumption of direct talks. China urges Israel to immediately and completely cease settlement activities in the occupied Palestinian territories, including the West Bank and East Jerusalem. China hopes that Israel will adopt a serious and responsible

approach and create the conditions necessary to building mutual trust and relaunching the peace talks.

China welcomes and supports all international peace efforts to resolve Palestinian and Israeli differences and to restart dialogue and negotiation. We hope that Palestinians and Israelis will make common efforts for the early resumption of talks and the achievement of substantive results.

The humanitarian situation in the occupied Palestinian territory, especially in the Gaza Strip, remains harsh and serious. That is not good for regional stability, nor is it conducive to the creation of appropriate conditions for peace talks between Palestine and Israel. We hope the parties concerned will effectively implement the relevant United Nations resolutions and quickly and completely lift the blockade on the Gaza Strip and return to the people of Gaza normal and respectful conditions for survival and development. The international community should continue to provide more assistance and support to the Palestinian people. China is ready to join hands with the various parties and to continue to play a constructive role for the early achievement of a comprehensive, just and lasting peace in the Middle East.

Sir Mark Lyall Grant (United Kingdom): I wish to thank Mr. Pascoe for his extensive briefing and the representative of Palestine for his statement.

The year 2011 marks twenty years since the Madrid Conference launched the Middle East peace process. The goal of the international community should be to ensure that this is the last year of the process and the beginning of a lasting agreement between the parties. The current stalemate is deeply damaging. The longer it continues and the more facts that are created on the ground, the slimmer the prospects for peace become. The urgency and gravity of the situation should not be lost on anyone.

So it is critical that the parties find a way to restart negotiations, which represent the best way to achieve a sovereign, viable and contiguous Palestinian state living in peace and security alongside a safe and secure Israel and other neighbours in the region. The international community must continue to stress the importance of this to both parties.

For renewed negotiations to have a chance of success, the parties should be clear on the parameters within which they are working: a two-State solution, based on 1967 borders, with Jerusalem as the future capital of two States and with a fair settlement for refugees.

If we are to overcome the current impasse, it is also vital that the parties refrain from taking unilateral actions that make peace harder to achieve.

The demolition of Shepherds Hotel in East Jerusalem and the plans to expand the Israeli settlement of Gilo by a further 1380 units are exactly the sort of actions that must be avoided. The United Kingdom has always been clear that settlements are illegal and an obstacle to peace. Pushing ahead with settlement activity is a deeply unhelpful move. With actions such as those, it is no surprise that this Council has been asked to consider a resolution condemning settlement activity.

Creating an atmosphere conducive to peace entails responsibilities on both sides. Israel's legitimate security concerns must be met. Israelis should not have to live under the constant threat of rocket attacks and random acts of violence. We are increasingly concerned by recent incidents in the Gaza area. We strongly condemn the continuing rocket fire by militants in Gaza, who target and endanger thousands of Israeli citizens with the goal of provoking reaction and further stalling the peace process.

We remain concerned by the prevailing situation inside Gaza. There has been some welcome progress: the move from a list of permitted goods to a list of banned goods and an increase in the volume of imports. But more fundamental changes are needed in order to achieve pre-2007 levels of imports and exports, and greater effort is required to improve cooperation with the United Nations and non-governmental organizations.

The recent Israeli measures to facilitate exports from Gaza are welcome, but they need to be swiftly implemented. That means action on the ground. The United Kingdom is ready to help. We are coordinating closely with Baroness Ashton's office on her package of proposals for Gaza: expanding the infrastructure at Kerem Shalom, providing security equipment to facilitate exports and expanding the role of the European Union's Police Mission in the occupied territories to provide training in border and crossings management for the Palestinian Authority.

Progress must be judged by impacts on the ground rather than simply through counting inputs, such as truck numbers. Aid dependency and unemployment remain high, and construction of schools is still held up. We are urging Israel to address those issues concretely. Gaza's aid dependency will continue until the economy recovers, which is why it is so important to make progress on exports and to improve access to land and to fishing areas. The surest way to safeguard Israel's security is through empowering Gaza's business fraternity.

Turning briefly to Lebanon, the events of the past week could have grave implications for Lebanon and for regional stability. We call on all parties to work together for a peaceful resolution to the crisis caused by the decision by the opposition to withdraw from government. We condemn continuing attempts to undermine the Special Tribunal for Lebanon, which must be allowed to carry out its work without hindrance or impediment. Justice needs to be done, and there must be an end to impunity for political assassinations in Lebanon.

We will engage strongly over the coming months with the United States, the parties to the conflict and with our European Union and United Nations partners to find a way to re-start meaningful negotiations to achieve a two-State solution.

Mr. Wittig (Germany): I wish to thank Under-Secretary-General Lynn Pascoe for his comprehensive briefing and the Permanent Observer of Palestine for his statement.

Germany aligns itself with the statement to be delivered later by the delegation of the European Union (EU) on behalf of the Union.

For too long, the peoples in the Middle East have suffered from conflict and confrontation. They aspire to peace, freedom and a decent life. It is our long-standing conviction that good governance, the rule of law and religious tolerance, including protection of religious minorities, form the basic pillars upon which durable stability and prosperity are based.

It is time to finally make decisive progress towards a peaceful solution of the Israeli-Palestinian conflict. A just, lasting and comprehensive solution is needed if we want to prevent the conflict from continuing to overshadow the lives of millions of people and from being a catalyst of extremism and violence. A continuation of the current impasse is not an option.

The goal is clear: we want to see the State of Israel and a sovereign, independent, democratic, contiguous and viable State of Palestine living side by side in peace and security. That objective is shared by practically the entire international community. It has repeatedly been endorsed by the parties themselves. We remain convinced that there is no viable alternative to the two-State solution.

There is also broad international consensus about the key parameters of the solution: borders based on the 1967 lines, with agreed territorial swaps; Jerusalem as the future capital of two States; an agreed, just, fair and realistic solution to the refugee question; and arrangements that ensure the security, both collective and individual, of the Israeli and Palestinian people.

Progress toward that goal is urgently needed. I wish to make four points that we believe are fundamental to making progress.

First, sustainable peace can be achieved only through negotiations. We urge both parties to return to direct negotiations and to engage substantively on final status issues. Such negotiations must be conducted with the goal of achieving a framework agreement within the 12-month period defined by the Middle East Quartet.

Secondly, both sides must work hard on creating an atmosphere conducive to progress. That includes abiding by international law and previous commitments, particularly the provisions of the Road Map. As the EU has consistently and repeatedly made clear, the continuation of settlement activity in the occupied Palestinian territories is illegal under international law and an obstacle to peace. It must stop. At the same time, the Palestinian side must refrain from incitement and violence.

Thirdly, Palestinian State-building needs to be continued. Sustainable peace will need to rest on two pillars: a negotiated settlement and viable institutions of the future State of Palestine. We congratulate the Palestinian National Authority on the progress achieved so far in institution-building, including implementation of the Fayyad Plan.

Fourth is Gaza. If we are to prevent the further isolation and radicalization of the population in Gaza, the policy of closure must end. Recent decisions by the

Government of Israel to ease access to and exports from Gaza are steps in the right direction. Those decisions need to be fully implemented. Import and export flows should return to pre-2007 levels. Complementary measures are necessary to allow for the economic recovery of Gaza, while addressing Israel's legitimate security concerns. In that respect, we call for the full implementation of resolution 1860 (2009).

We remain seriously concerned about the fate of the Israeli soldier Gilad Shalit, who has been in captivity for much too long. He must be released without further delay.

Germany commends the tireless efforts of and valuable services delivered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and this year will continue to support UNRWA by contributing an additional amount of $8 million.

Finally, the strong support of the international community is crucial to progress in the peace process. We need an even more active role of the Middle East Quartet. We welcome the Quartet meeting of principals in Munich scheduled for 5 February, and expect a strong political signal in that regard. The active backing of Arab States is necessary to creating an atmosphere conducive to progress. We need to send a clear and unambiguous message that we stick to our shared vision of two States living side by side in peace and security. We need to be clear about the parameters of such a solution and our willingness to support its implementation, as required.

The international community stands ready to invest considerably in a peaceful settlement and to help shape the way forward, but only the parties themselves can make the crucial compromises and lay the foundations for a better future. It is up to them to take the decisive steps and commit themselves unambiguously.

With regard to Lebanon, we call on all parties to abide by their obligations under resolution 1701 (2006). I would like to recall that the decision to establish the Special Tribunal was taken following a request by Lebanon and on the basis of negotiations between Lebanon and the United Nations. It was created in order to bring stability to the country and to end impunity by prosecuting persons responsible for the attack of 14 February 2005. The reasons for establishing the Special Tribunal remain valid. Germany calls on all parties to support the important work of the Tribunal, to respect its independence and to refrain from political interference and coercion. The successful conclusion of the work of the Special Tribunal is essential to long-term stability in Lebanon. Germany will continue to support the Tribunal.

Regional efforts aimed at stabilizing the situation are very welcome. At the same time, we cannot compromise when it comes to justice.

Mr. Sangqu (South Africa): My delegation thanks Mr. Pascoe for his briefing to the Council. We would like to associate ourselves with the statement to be delivered later by the representative of Egypt on behalf of the Non-Aligned Movement. We also thank the Permanent Observer of Palestine for his comprehensive statement.

The Middle East peace process, including the question of Palestine, has been on the agenda of the Council for more than 60 years without resolution. Perhaps we need to collectively ask ourselves the question: Is there anything we could or should do differently that may lead to the desired outcome?

We pose that question in the light of the fact that we have repeatedly articulated the problems, but we do not seem to move forward in terms of addressing them. As we continuously congregate in this manner to discuss the matter every month, without making any concrete progress, the people of Palestine and Israel are no nearer to living in peace as neighbours than they were 60 years ago.

My delegation is of the view that the Security Council should recommit to the following key principles. The Security Council has the Charter-given mandate to address all matters of international peace and security, without exception; and, in view of that responsibility, the Council cannot delegate or outsource its responsibility to address the situation in the Middle East, in particular the Palestinian question.

A few months ago, we were hopeful that the direct talks on final status issues between the leaders of Israel and Palestine would yield positive results. However, that move was once again frustrated by Israel's intransigence with regard to the halting of settlement construction in the occupied territories, including East Jerusalem. The continuous building of settlements, the freezing of which is a condition for the

Palestinians to go back to the negotiating table, seems to be a major setback to the peace talks. As documented in many international legal texts, including article 49 of the Fourth Geneva Convention, which prohibits the occupying Power from transferring its own civilian population to the territory that it occupies, the building of those settlements is illegal. In that regard, we call on Israel to act in good faith and reimpose a moratorium on settlement construction as a show of goodwill and confidence in the negotiations.

It is more than 16 years since the signing of the Oslo Accords, which represent the beginning of formal negotiations between the Palestinians and the Israelis. Instead of resolving the matter, or at least improving the situation, it has become worse. More Palestinians have been displaced; there has been more curtailment of movement and access; and many more illegal settlements have been built.

However, the continued settlement building ominously changes the geographical make-up of Palestine and has the potential to render impossible the capacity to bring about a two-State solution, in line with the overwhelming call for the creation of a sovereign, independent, democratic, viable and contiguous Palestinian State, coexisting peacefully alongside the State of Israel on the basis of the 1967 borders, with East Jerusalem as its capital. The creation of a viable Palestinian State with the rights and responsibilities inherent to statehood, within a peaceful environment, is in the interest of Israel, as its security can be achieved only through peace.

South Africa calls on both parties to return to the negotiating table, as they know best the critical issues that continue to divide them. Among other issues, those relate to borders, settlements, water, Jerusalem, security and refugees. The international community can assist the parties only once they themselves resolve to commit and show the political willingness to find a lasting solution. Certainly, an imposed solution will not work.

The blockade of Gaza continues to frustrate the lives of the inhabitants of that territory and has contributed directly to the increase in unemployment and poverty, thus impacting negatively on people's livelihoods. The blockade has also resulted in delays in the provision of humanitarian assistance, as the entry of humanitarian agencies, such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the United Nations Development Programme, into Gaza has been limited. We therefore call on Israel to end the blockade of Gaza, which is illegal in terms of international humanitarian law, including article 23 of the Fourth Geneva Convention and myriad Security Council resolutions.

Despite the many challenges facing UNRWA and other United Nations agencies in Palestine, the Organization continues to play a vital role in the enhancement of the livelihoods of the Palestinian refugees and people. South Africa continues to support the Agency and its activities, including for this year. In addition, in partnership with the India-Brazil-South Africa trilateral mechanism, South Africa continues to support Palestine, including by providing support for projects in Gaza.

South Africa also condemns the continued shelling of Gaza by Israeli forces and concomitantly calls on the people of Gaza to refrain from the indiscriminate firing of rockets into Israel. Recently, the Secretary-General acknowledged that:

> "the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached" (*S/2010/607, para. 13*).

In light of this observation, we call on the Council and other stakeholders to accelerate efforts towards the holistic resolution of the Middle East crisis, including the Lebanese and Syrian tracks.

In conclusion, my delegation takes note of the recent recognition of the State of Palestine by more Members of the United Nations. We cannot avoid the reality of an independent State of Palestine. Our responsibility remains to ensure that it is viable, contiguous, sustainable and in a position to exist peacefully with its neighbour, the State of Israel.

Mrs. Ogwu (Nigeria): I would like to join others in thanking Under-Secretary-General Lynn Pascoe for his briefing, and the Permanent Observer for his statement.

For too long, the situation in the Middle East has remained a matter of grave concern to the international community. Today's debate opens against the backdrop of a deadlock in direct negotiations and a deteriorating security situation in the region, as Mr. Pascoe reported

this morning. Nevertheless, this debate affords us the opportunity to take stock of the preceding year. In doing so, we need to soberly reflect on the circumstances that hindered the sustenance of the resumed direct negotiations between Israel and Palestine.

Our unequivocal message, today as always, is a simple one. There should be an independent State of Palestine existing side by side with a secure State of Israel, free from threat and intimidation. I have no doubt that the entire Council is united on this. Speaking with one voice, it is important for the Council once again to call on the parties to resume direct negotiations without further delay on all the permanent status issues, in particular borders, security, the status of Jerusalem and the return of Palestinian refugees.

Each of the parties can play an important role in fostering peace. To this end, we call on Israel to take concrete steps to freeze all settlement-related activities in the West Bank and East Jerusalem as a confidence-building measure. The planned construction of 1,400 new settler homes and the approval two days ago by the Jerusalem City Council of 122 housing units to be built in East Talpiot and Pisgat Ze'ev in East Jerusalem not only are provocative, but run counter to the objective of building confidence. Indeed, such actions provide fodder for resentment and increased violence. In the same vein, the incursion yesterday by Israeli tanks into northern Gaza, east of Beit Hanoun, which resulted in the death of 23-year old Amjad al-Zaanein, in retaliation for Palestinian militant attacks, was unhelpful to the peace process.

The Palestinians also have a role to play in building confidence. It is important for Palestinian leaders to signal their readiness to return to the negotiating table through enhanced efforts to forge unity and deal with acts of militancy. Rocket attacks and other harmful actions undermine peace and security. As is well known, in this conflict such actions have often attracted swift reprisals. We believe that the prospect of a Palestinian State, recognized and supported by the international community, should serve as an incentive to all Palestinians to sheath their swords and embrace the peace process. It is beyond doubt that neither militancy nor military might will resolve the lingering conflict.

We call on Israeli and Palestinian leaders to demonstrate in their words and deeds a strong desire to re-engage in a speedy negotiated settlement of all the core issues of the conflict. In addition, they must recommit themselves to their obligations under the Road Map. They should endeavour to overcome the obstacles that have hindered the realization of a two-State solution, with Israel and Palestine living side by side in peace within secure and recognized borders. The international community, and more especially the Quartet, should remain engaged and exert pressure on the two parties to negotiate in good faith.

We commend Israel's announcement last month of further measures to ease the blockade on Gaza. We hope that the time will come sooner rather than later when the blockade will be lifted completely. In the meantime, we urge the people of Gaza and other stakeholders to utilize only legitimate channels to transport persons, goods and materials out of the territory in order to address Israel's legitimate security concerns. In this connection, we acknowledge the efforts of the Palestinian Authority to address Israel's security concerns.

With regard to Lebanon, we want to stress the need for calm and restraint. We call on the United Nations and concerned parties to continue to support the independence and territorial integrity of Lebanon. We commend the Special Tribunal for Lebanon for its work in very challenging circumstances. It is our expectation that the Tribunal's findings will provide a good basis for justice, peace and stability to reign in Lebanon. We commend President Michel Sleiman's resolute support for the independence and mandate of the Special Tribunal. We underscore the need for continuous dialogue amongst the parties to preserve the stability of the country.

In the final analysis, achieving lasting peace in the Middle East will depend not on bullets or blockades, but on the courage and determination to make painful sacrifices in support of peace. Lasting peace requires accommodation and flexibility on both sides to reach necessary compromises in the negotiations. I hope that the parties can demonstrate this spirit.

Mrs. Viotti (Brazil): I thank Under-Secretary-General Lynn Pascoe for his detailed briefing. I also thank the Permanent Observer of Palestine for his remarks.

Since Israel's decision not to renew the settlement moratorium in September 2010, the construction of Israeli settlements in the occupied territories has gained considerable pace. This is not only illegal, but also undermines the peace process, poisons the political environment and potentially exposes Israeli settlers to danger as tensions rise.

From a strategic point of view, the greatest danger is that the accelerating pace of construction risks rendering the two-State solution politically very difficult to implement, if not impossible. It is true that, in the past, Israeli populations have been withdrawn from occupied land as part of agreements or unilateral decisions by Israel. It is also true, however, that the construction that has taken place in the occupied territories in recent years tends to alter the very demographic and social realities on the ground — including in Jerusalem — and is therefore much more difficult to reverse. Settlement activity must therefore cease immediately and completely. We once again reiterate our call on Israel to heed the unanimous call of the international community in this regard.

We continue to support the efforts led by the United States Administration and regional actors to restore the peace process. We call on both parties, in particular Israel, not to miss any opportunity to make strides towards the resumption of substantive and action-oriented negotiations. We know that requires a great deal of political courage, as peacemaking quite often involves high risks. There is, however, greater risk and suffering in accepting a state of permanent conflict or tension. The present hour demands nothing less than Statesmanship. We fully concur with the Secretary-General that peace and Palestinian Statehood cannot be delayed further.

It was precisely with that in mind — that is, the urgent need for fair and balanced negotiations — that Brazil decided to recognize the State of Palestine based on the 1967 borders. The decision does not represent a loss of faith in a negotiated solution, and it should not be construed as such, much less as an incentive to unilateral moves. To the contrary, we all know that the effective establishment of a functioning Palestinian State cannot come about but through negotiations. Brazil's decision is therefore to be taken as a contribution to a fair and balanced settlement between the parties, one that can achieve the international community's common goal of two States living side by side in peace and security within internationally recognized borders. The Council has a key role to play in that effort.

Brazil remains ready and willing to consider ideas and initiatives to that end. One of them is the draft resolution on the Israeli settlements in the occupied territories that was put forward yesterday, which has so far been sponsored by more than 120 delegations, including mine. Such a measure would send the right signal to the parties that the Council and the international community stand by fundamental decisions and are serious in their attempt to help ensure the long-term feasibility of the two-State solution.

We welcome the measures taken by Israel to ease the blockade on the Gaza Strip — especially with regard to exports of agricultural products, textiles and other goods — as it will benefit the local economy and generate badly needed jobs and income. We must all continue to work with the Palestinians to turn this overture into new development projects.

That is what we are trying to do bilaterally and through the India-Brazil-South Africa (IBSA) initiative, as was just mentioned by the Permanent Representative of South Africa. Last November, the IBSA Forum approved a project for the partial reconstruction of the Red Crescent Al-Quds Hospital in Gaza, with resources allocated from the IBSA Trust Fund. But much remains to be done.

As we have said in the past, easing the blockade is no substitute for fully lifting it. The population in Gaza should not have to survive on international assistance or be forced to live amid ruble. The ongoing tensions all too often demonstrate that the collective suffering imposed on Gaza's entire population, apart from being unacceptable, plays a questionable role as part of an effective security strategy. We therefore insist that freedom of movement for people and goods can and should be ensured, while taking into account Israel's legitimate security concerns.

Also unacceptable is the launching of rockets and mortars into southern Israel by militants in Gaza. They tend to trigger corresponding Israeli reprisals, in the form of air strikes and punitive incursions, thus perpetuating a cycle of violence and suffering. We continue to condemn all violence and provocation by anyone.

Before concluding, let me add a few words on Lebanon. We are following closely the situation in that

country. We all realize the importance of Lebanon to peace and stability in the Middle East. The international community must come together in support of dialogue and foster the spirit of reconciliation and justice. We urge all political groups in Lebanon to maintain calm, address their differences through dialogue and political negotiations and abide by relevant resolutions of the Security Council. It is time to show their commitment to a viable future as a nation, as well as to the right of their people to live in peace and prosperity.

Mr. Moraes Cabral (Portugal): Like others have done, I too would like to thank Under-Secretary-General Pascoe for his comprehensive briefing, as well as the Permanent Observer of Palestine for his contribution to today's debate.

The situation in the Middle East remains unstable and very fragile. The protracted lack of progress on almost every front is disconcerting, to say the least. As has so often been stated in the Chamber, time is of the essence.

The conflict has continued for more than 60 years. With the increasing problems faced by the region, the sense of urgency has never been so acute. We need strong political motivation and a spirit of compromise from all sides, as well as the robust involvement of the international community and its main players to ensure the conditions and support necessary for political solutions that will bring about peace, stability, security and economic and social progress to all parties in the region.

Portugal is deeply concerned about the situation and, as a member of the European Union (EU), shares the position that will be expressed by the EU's representative during this debate.

The situation in the occupied Palestinian territory remains one of great concern, as does the impasse on any serious and fruitful negotiations. We support United States commitments and efforts to relaunch a credible peace process that brings the parties to direct negotiations. But we must recognize that an agreement on all final status issues remains elusive. We know what the basic ingredients for such an agreement are, as well as the core issues that have to be negotiated. What is lacking is the political will to address them.

On the other hand, developments on the ground continue to seriously undermine confidence in the process, to thwart attempts at moving negotiations forward and to erode the prerequisites of the two-State solution, advocated not only by the international community but by the parties themselves.

Building on occupied territory proceeds unabated, as do demolitions and evictions, in violation of international law and undermining the viability of the Palestinian State. The recent partial demolition of the Shepherd Hotel and the extension of Gilo are particularly worrying in this context. Portugal deeply regrets Israel's decision not to extend the moratorium, as requested by the international community, as well as the resumption of settlement activity as soon as the moratorium ended.

It is in that context that we must look at the draft resolution submitted yesterday by Lebanon, with the wide support of the Members of the United Nations. Indeed settlements, including in East Jerusalem, are illegal under international law and are an obstacle to peace. We therefore once again call upon the Government of Israel to reconsider its decision and to abide by its international obligations and its commitments under the Road Map, including dismantling all outposts erected since March 2001. I recall that the Fourth Geneva Convention applies to the occupied Palestinian territory, including East Jerusalem.

Portugal condemns all actions that undermine trust and opposes all unilateral actions that prejudge the outcome of negotiations on permanent status issues, including Jerusalem, which is called to be the capital of two States. We recall that the annexation of East Jerusalem is not recognized by the international community.

Notwithstanding the easing of movement in certain areas, of which we take positive note, many obstacles continue to restrict or impede free movement and access throughout the West Bank. In addition to the difficulties they impose on daily life and the unwarranted humiliations they often entail, they also hamper the economic development of the West Bank.

Portugal also unequivocally condemns the indiscriminate firing of mortars and rockets by extremist groups in Gaza against civilian populations in Israel, in direct contravention of international law, and calls for their immediate halt. We are deeply concerned about the escalation of these terrorist attacks during the past month.

We also note with concern, and condemn, the continued captivity of Staff Sergeant Shalit. We call for his release. It is unacceptable that he continues to be detained and denied humanitarian access. Portugal fully supports the ongoing efforts to secure his peaceful release.

Portugal takes note of some progress in the situation in Gaza. The measures undertaken by Israel are a step in the right direction. However, much more needs to be done to enable the full economic recovery of the Gaza strip, ensure the reconstruction of homes, infrastructure and businesses and meet the humanitarian needs of the people of Gaza. Exports, which are a key component of Gaza's recovery, remain limited to a few shipments of agricultural goods. Portugal therefore calls upon Israel to allow the immediate and sustained opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza, in accordance with resolution 1860 (2009).

For the past 60 years, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has played, and continues to play, an essential role in lessening the suffering of Palestinian refugees. Portugal fully supports UNRWA and greatly appreciates the dedication and commitment of its staff, who work in circumstances that are most challenging.

Palestinian reconciliation is another issue that sadly remains at an impasse. We commend and fully support Egypt's tireless efforts in this regard and call upon our Arab partners and other parties in the region to contribute positively to these endeavours.

Prime Minister Fayyad and his Government are progressing steadily in preparing Palestinian institutions for Statehood. We commend them for their efforts and results. We recall the World Bank's recent assessment of the Palestinian Authority's current performance in institution-building and delivery of public services.

But achievements on the institution-building track need to be consolidated with solid advances on the negotiation track if Palestinians are to continue to have faith in the peaceful pursuit of their Statehood. We therefore call upon Palestinian and Israeli leaders to respond positively to efforts seeking the resumption of meaningful negotiations on all core issues. We encourage them to engage actively and constructively in such an endeavour. The time has come for them to show leadership, vision and courage.

As I said, the general outlines of a final negotiated solution are well known. The relevant Security Council resolutions, the Madrid terms of reference, including land for peace, the Road Map, the agreements previously reached by the parties and the Arab Peace Initiative remain the basis of such a settlement.

None of us can afford another missed opportunity, adding to the list that goes from Oslo to Annapolis, through Camp David and Taba. We urge the parties not to waste any more time and encourage them to build upon past negotiations during which a number of concrete final status proposals were discussed.

The international community must remain committed to assisting the parties in proceeding with the bold and difficult decisions that await them. Portugal looks forward to the active involvement of the Quartet and to a fruitful and forward-looking discussion at its next meeting, bearing mind the 12-month period it set to reach a framework agreement.

Twenty years after Madrid, the peace we all envision for the Middle East is a lasting and comprehensive one that leads to the creation of a viable Palestinian State and to the full integration of Israel in its regional environment, along the lines set out in the Arab Peace Initiative. Portugal therefore supports close cooperation between the Quartet and its Arab partners. It is time for the international community to fully assume its responsibilities.

Allow me two words on the situation in Lebanon. Recent developments in that country have once again brought to the fore fears of renewed instability. The Secretary-General has rightly emphasized the importance of maintaining calm. Stability in Lebanon is crucial to the whole of the region. We call upon all Lebanese political forces to refrain from actions that may escalate tensions and to seek a negotiated political solution to the current situation.

We further reiterate our full support for the work of the Special Tribunal for Lebanon, established at the request of the Government of Lebanon with a clear mandate from the Security Council. Its work proceeds in accordance with the legal principles and standards applied by all international tribunals.

Portugal also reiterates its commitment to Lebanon's sovereignty and independence. We fully support the United Nations Interim Force in Lebanon, in which we participate, and the active role it plays in ensuring the full implementation of resolution 1701 (2006) and maintaining the calm along the Blue Line. We call upon all parties to put an end to all violations of that resolution.

Mr. Hardeep Singh Puri (India): I wish to thank Under-Secretary-General Lynn Pascoe for his comprehensive briefing. I would also like to thank the Permanent Observer of Palestine for his statement, to which we listened very carefully.

The situation in the Middle East continues to be difficult. The much-awaited resumption of talks in September 2010 between Israel and Palestine lasted only a few meetings. Since then, there has been considerable erosion in mutual confidence between the two parties, thereby undermining the peace process.

The events of the past few months have been discouraging, with stalled talks, the resumption of settlement activity and human suffering in Gaza. On the positive side, in spite of the difficult situation in Gaza, the economy there grew by 8 per cent in 2010. The World Bank reported that, if the Palestinian Authority maintains its current performance in institution-building and public services, it will be well positioned for the establishment of a State. Also, there were fewer violent incidents in the 2010 than in previous years.

Unless broken, the current impasse has the potential of having a serious impact on the lives of the people, potentially contributing more fuel to an already combustible situation in the region. This should therefore strengthen our resolve in seeking to achieve a breakthrough in the current impasse so that both parties return to talks.

India has a long-standing tradition of solidarity with the Palestinian people. It was expressed recently by our Prime Minister in his message on the occasion of the International Day of Solidarity with the Palestinian People. The Prime Minister reiterated India's unwavering support for the Palestinian people's struggle for a sovereign, independent, viable and united State of Palestine, with East Jerusalem as its capital, living within secure and recognized borders, side by side and at peace with Israel, as endorsed in the Arab Peace Initiative, the Quartet Road Map and relevant Security Council resolutions. Also, India has long contributed to the capacity- and institution-building of the Palestinian people with its material and technical assistance programmes.

In this connection, I would also like to mention, as did my colleagues from Brazil and South Africa, the projects in which India has engaged with those countries through the India-Brazil-South Africa (IBSA) Forum. From the resources allocated from the IBSA Trust Fund, we are undertaking the partial reconstruction of the Al-Quds Hospital in Gaza and the construction of an indoor multi-purpose sports complex in Ramallah. We believe that such projects will be of some value to the Palestinian people in improving their health and recreational facilities.

We feel that genuine peace in the region requires a resolution of other issues on the remaining tracks of the Middle East peace process, including the restoration of other Arab lands that remain under occupation. Progress on the Lebanese and Syrian tracks of the peace process are therefore critical for achieving comprehensive and durable peace in the region.

We are closely monitoring the situation in Lebanon, which is deeply worrying. The Special Tribunal for Lebanon must be allowed to complete its work. We call on all sides to resolve their differences and maintain peace.

While that has been stated several times before, and in many eloquent ways, this central truth bears repetition: a just, fair, durable and credible solution to this vexed problem can only come from meaningful, sincere and results-oriented dialogue, a dialogue that is essentially forward looking. For this, it is important that the ongoing settlement activities by Israel cease forthwith. I would also add that the settlements in the occupied territories are illegal under international law. We remain convinced that lasting peace in the region will contribute to global stability and prosperity.

It is therefore critical for the international community to work closely with the parties with a view to encouraging them to resume direct negotiations. We are hopeful that the talks and negotiations will soon resume, leading to a comprehensive peace process for a final resolution of the conflict.

The President: I shall now make a statement in my capacity as the representative of Bosnia and Herzegovina.

I would like to begin by thanking Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs, for his update on recent developments in the Middle East. We also thank the Permanent Observer of Palestine for his presence and for his contribution to our debate.

Bosnia and Herzegovina reiterates that a comprehensive and lasting peace in the Middle East can be achieved only on the basis of the relevant Security Council resolutions, the Madrid principles, the Road Map, the agreements previously reached by the parties and the Arab Peace Initiative.

Bosnia and Herzegovina is and will remain committed to the two-State solution, with the State of Israel and an independent, democratic, contiguous and viable State of Palestine living side by side in peace and security.

We do not recognize the annexation of East Jerusalem and underline that the status of Jerusalem is a permanent status issue that must be resolved through negotiations between the parties. Jerusalem, the holy city of the three great monotheistic religions — Christianity, Judaism and Islam — should be the symbol of peace, freedom of religious expression and human rights. In that regard, we express our grave concern at the prolonged and dangerous impasse in the Middle East peace process, which has been aggravated by the most recent incidents on the ground.

We must underline once again that all settlement activities on occupied land are illegal under international law and contrary to Israel's obligations under the Road Map. We also condemn the destruction of the Shepherd Hotel and the planned construction of new illegal settlements. These activities represent an obstacle on the road to comprehensive peace. We therefore call upon Israel to end all settlement activities in the occupied Palestinian territories, including East Jerusalem.

With regard to Gaza, we note the increased flow of food and consumer goods into Gaza. However, we continue to call for the immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza, in accordance with resolution 1860 (2009). Israel's security concerns, including those of a complete stop to all violence and arms smuggling into Gaza, must also be addressed.

We strongly condemn recent armed attacks on civilians and wish to underline that civilian populations must be protected. Therefore, we reiterate our call for an immediate end to all violence and urge all parties to exercise restraint and make every effort to avoid further escalation.

I take this opportunity to reiterate our strong belief that the functioning of the national unity Government in Lebanon is the best guarantee of preserving stability and promoting dialogue in the country. Hence, it is essential at this critical juncture that Lebanese leaders do their utmost to prevent a political crisis and find a negotiated solution to the current situation.

As a matter of principle, we fully support the work and independence of international criminal courts and tribunals, including the Special Tribunal for Lebanon. Moreover, we reiterate our call on all parties not to interfere in the Tribunal's work and not to prejudge its outcome.

In conclusion, we would like to once again emphasize our concerns at the current stalemate in the peace process, which certainly cannot bring about the positive environment necessary for long-term strategic decision-making and lasting peace. At this critical juncture, it is of utmost importance that the Israelis and the Palestinians alike make the necessary decisions to break the current impasse and return to direct talks as the only way to secure a better future for their peoples.

I now resume my functions as President of the Council.

I give the floor to the representative of Egypt.

Mr. Abdelaziz (Egypt): I have the pleasure to address the Security Council today on behalf of the Non-Aligned Movement (NAM). I would like to start by expressing the Movement's appreciation for the briefing given today by Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs.

The Non-Aligned Movement believes that the international community needs to work collectively and expeditiously in order to uphold its long-standing commitment to establishing an independent and viable Palestinian State, with East Jerusalem as its capital, by comprehensively and successfully addressing the six core final status issues.

It is regrettable that all serious and credible efforts exerted by international and regional parties, including the Quartet, to ensure the continuity of direct negotiations on the Palestinian track have failed. This is due to the fact that Israel, the occupying Power, continues to pursue its illegal settlement activities, along with many other policies and practices that have undermined all efforts to resume and advance the peace negotiations to attain the two-State solution on the basis of the 1967 borders.

The demolition by Israeli bulldozers of the historic Shepherd Hotel in the Sheikh Jarrah neighbourhood of occupied East Jerusalem on 9 January, carried out in order to build a new settlement of 20 units in the heart of the city, is yet another clear sign of Israel's persistence in continuing its settlement policies, which endanger the peace process.

At the same time, the international community has continued to witness the issuing of additional home-demolition orders in occupied East Jerusalem, the establishment of thousands of settlement units at an unprecedented pace since Israel failed to renew the so-called unilateral freeze on settlement activities at the end of September 2010, and the revocation of residency rights of yet more Palestinian Jerusalemites, including elected Palestinian Legislative Council representatives. These are clear signs of Israel's continuation of its unlawful attempts to alter the geographic and demographic composition of the occupied Palestinian territory, in particular East Jerusalem, which remains and will continue to remain rejected and unrecognized by the international community.

It is abundantly clear that the statements of condemnation by the international community have not deterred Israel from its blatant defiance of international legitimacy. The Non-Aligned Movement therefore reiterates its call on the Security Council to be resolute in demanding that Israel exercise the necessary political will to achieve peace, including by respecting all terms of reference of the peace process and abiding by its legal obligations under the Fourth Geneva Convention, relevant United Nations resolutions, the principle of land for peace, the Arab Peace Initiative and the Road Map. Israel must completely freeze all settlement activities and fully respect the international consensus on that issue, including the calls from NAM, the United Nations, the European Union, the Quartet and almost all international and regional bodies and actors.

The Non-Aligned Movement also strongly condemns the continued imprisonment of nearly 10,000 Palestinians in Israeli jails and other detention facilities, where ill-treatment and torture are widely used. The Movement commends international efforts to shed light on that issue, including through the convening by the Committee on the Exercise of the Inalienable Rights of the Palestinian People of the upcoming United Nations International Meeting on the Question of Palestine, to be held on 7 and 8 February in Cairo on the specific theme "The urgency of addressing the plight of Palestinian political prisoners in Israeli prisons and detention facilities". It is the conviction of the members of the Movement that those prisoners, who include children and women, should be immediately released and that proper international inspections of their current condition should be a priority for the Security Council, human rights organs and the international community at large.

The situation in the Gaza Strip also remains among the Non-Aligned Movement's top priorities. The Movement reiterates that the unacceptable and unsustainable situation of Gaza has to come to an end. This unresolved crisis continues to have serious repercussions on the universal efforts to promote peace and continues to inflict deep suffering on the Palestinian civilian population in Gaza. The Non-Aligned Movement emphasizes the need to compel Israel to lift fully its illegal blockade, in accordance with its obligations under international law, international humanitarian law, human rights laws, Security Council resolution 1860 (2009), General Assembly resolution ES-10/18 and other relevant United Nations resolutions.

Furthermore, the Movement emphasizes the urgent need for the reconstruction of Gaza and calls on Israel to alleviate the suffering of the Palestinian people by opening all of its crossing points with Gaza, allowing the import of essential reconstruction materials, including those necessary for the long-overdue reconstruction of United Nations facilities and schools of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and to allow the free and unconditional movement of people and goods. We reiterate the importance of ending the blockade of Gaza and stress the need to empower UNRWA with all necessary

financial and human support to undertake its mission effectively.

The Non-Aligned Movement stresses that serious and genuine negotiations can be conducted only when Israel completely freezes its illegal settlement activities in the Palestinian territories occupied since 1967, including East Jerusalem. Israel's continuous expansion of settlement activities constitutes a serious violation of all its international obligations and destroys the mutual trust and confidence critical to final status negotiations. The Non-Aligned Movement reiterates its demand that Israel immediately cease all settlement activities and stop all actions that may prejudge the outcome of the final status negotiations.

There is unanimous conviction that it is imperative that Israel respect its obligations if direct negotiations are to be resumed towards achieving the two-State solution on the basis of resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2009) and 1850 (2008); the Madrid terms of reference, including the principle of land for peace; the Arab Peace Initiative and the Road Map. The international community must exert all efforts needed in order to stop all settlement activities immediately and start final status negotiations to establish an independent and viable Palestinian State with East Jerusalem as its capital.

The massive number of Non-Aligned Movement sponsors of the draft resolution officially submitted by Lebanon to the Security Council calling for the immediate cessation of all settlement activities in the occupied Palestinian territory, as outlined in the letter dated 18 January 2011 addressed by the Chair of the Coordinating Bureau of the Non-Aligned Movement to the President of the Security Council, is a clear reflection of the international support for the draft resolution and for the positive effect of its adoption by the Security Council in advancing the cause of peace in the Middle East. The Non-Aligned Movement therefore hopes that the Security Council will unanimously adopt this draft resolution soon.

Turning now to Lebanon, NAM condemns Israel's ongoing violations of Lebanese sovereignty and the recurrence of serious breaches to resolution 1701 (2006). The Movement calls on the concerned parties to fully implement resolution 1701 (2006) in order to end the current fragility and avoid the recurrence of hostilities.

Concerning the occupied Syrian Golan, the Non-Aligned Movement reaffirms that all measures and actions taken or that will be taken by Israel, the occupying Power, to alter the legal, physical and demographic status of the occupied Syrian Golan, as well as the Israeli measures to impose jurisdiction and administration there, are null, void and have no legal effect. The Non-Aligned Movement demands that Israel abide by resolution 497 (1981) and withdraw fully from the occupied Syrian Golan to the borders of 4 June 1967, in implementation of resolutions 242 (1967) and 338 (1973).

In my national capacity, let me express Egypt's since appreciation for the expressions of support to the countries of the Middle East and the generous call we heard today for the provision of help to countries in our region in their efforts to combat terrorism. Terrorism is the correct characterization of the deplorable incidents that recently struck our country and others in the region.

However, I would like to stress here that such terrorist attacks are not limited only to the Middle East and do not distinguish between majorities and minorities; they are directed against the entire unity and fabric of the societies they target, including in my country. Therefore, while we appreciate the positive remarks made at the time about the rich cultural and human nature of civilization in the Middle East, our region totally rejects any characterization of these latest incidents as attacks against minorities, as Arab societies are, on the whole, based on the values of unity, coexistence and tolerance, and prize the diversity of our societies to achieve a better future for our peoples. This is the spirit of the resolution adopted today in the League of Arab States at the summit level.

Prince Zeid Ra'ad Zeid Al-Hussein (Jordan) (*spoke in Arabic*): At the outset, I would like to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. We trust that your expertise and wisdom will guarantee the success of the Council's work this month.

We would also like to express our appreciation to your predecessor, Ms. Susan Rice, Permanent Representative of the United States of America to the United Nations, for her effective management of the work of the Security Council last month.

(*spoke in English*)

In its advisory opinion of 9 July 2004 relating to the *Legal consequences of the construction of a wall in the occupied Palestinian territory* (see A/ES-10/273) the International Court of Justice recalled, in paragraphs 74 to 76, the position of the Security Council in respect of the city of Jerusalem. The Court noted specifically in paragraph 75 how the Council, in resolution 298 (1967), advanced

> "all legislative and administrative actions taken by Israel to change the status of the City of Jerusalem, including expropriation of land and properties, transfer of populations and legislation aimed at the incorporation of the occupied section, are totally invalid and cannot change that status".

The actions undertaken by Ateret Cohanim last week in demolishing the Shepherd Hotel cannot therefore, as much as Ateret Cohanim may seek otherwise, change the legal status of East Jerusalem as occupied territory or, to put it more succinctly, cannot turn it from territory that is not Israeli into territory that is. However strenuously it may justify its actions in supporting the settler agenda, the Israeli Government is virtually alone in the world in recognizing these actions by Ateret Cohanim and other groups, like El Ad, to be lawful under, it would have us believe, a combination of Israeli military and administrative law.

And yet the applicable law in respect of the exercise by Israel of military control over the occupied Palestinian territory is clear: it is not Israeli law that reigns supreme there, but international humanitarian law applicable to all high contracting parties as well as obligations that are ergo omnis. Israel's administrative and military regulations insofar as the West Bank is concerned must therefore be utterly consistent with the Fourth Geneva Convention, and its control guided strictly by its obligations as the occupying Power.

The position of the International Court of Justice on this very last point is unambiguous. It maintained in paragraph 78 of its 2004 opinion that

> "The territories situated between the Green Line ... and the former eastern boundary of Palestine under the Mandate were occupied by Israel in 1967 during the armed conflict between Israel and Jordan. Under customary international law, these were therefore occupied territories in which Israel had the status of occupying Power. Subsequent events in these territories ... have done nothing to alter this situation. All these territories (including East Jerusalem) remain occupied territories and Israel has continued to have the status of occupying Power."

It also merits noting that there are no territorial exceptions to this finding: all of the territory of the West Bank, as described by the Court, is considered occupied. A closer reading of resolution 242 (1967) also bears this point out, as we explained before the Court on 24 February 2004. In his oral submission, the late Sir Arthur Watts Q.C., counsel for Jordan, noted how resolution 242 (1967) "affirmed unanimously the principle of Israel's withdrawal of its armed forces from the territories occupied in the recent conflict". That meant, and could only mean, territories on the non-Israeli side of the Green Line.

Thus the Green Line is the starting line from which is measured the extent of Israel's occupation of non-Israeli territory. Having originated in 1949 as an armistice line, it became in 1967 the line to the Israeli side of which Israel had to withdraw its forces and on the non-Israeli side of which territory was occupied by Israel. It is also perhaps worth recalling that in negotiating what became resolution 242 (1967), the principle interlocutors reached the understanding that there would be a withdrawal from all non-Israeli territory, with only minor reciprocal border rectifications.

For decades, Israel has been settling on territory that does not belong to it, against the wishes of the Palestinian people, to whom the territory does belong and who yearn for their freedom. While it is now readily accepted, the settlement policy can only be undone through a negotiated agreement between the Palestinian Authority and the Israeli Government. For the latter to offer to hold talks with the Palestinian President while simultaneously allowing groups like El Ad and Ateret Cohanim to continue their usurpation of Palestinian lands under the veil of Israeli law, the very imposition of which is ultra vires, is contemptible and not becoming of a people who themselves have historically suffered greatly at the hands of others.

That settlement building has continued unabated over many years is true, notwithstanding the rising chorus of indignation on the part of the international community towards it. Yet there was hope that comprehensive peace could be secured before it was

foreclosed altogether by the growth in the number of settlements. That hope is being extinguished fast. Why? Because even if its legal status cannot be changed, so near are we to seeing East Jerusalem sealed off from the rest of the West Bank, from the cumulative effect of both the separation wall and the actions of the settler movement — all supported by the Israeli Government — it will shortly simply not be believable to us that any future Israeli Government could reverse it.

For even if there were to be a peace deal struck between Israel and the Palestinian Authority requiring Israel to cede East Jerusalem, will there be an Israeli Government willing to implement such a deal and be prepared to go to war with its settler community over the latter's increasingly entrenched position in East Jerusalem, no matter what other occupied territories Israel has withdrawn from in the past? And if there were to be no negotiated settlement over Jerusalem because the settler organizations will have rendered the point moot through their actions, then the peace we all desire — a comprehensive, just and durable peace — will have been murdered by an avoidable circumstance; and Israel will be alone to chart an impossible course for itself in de facto control over an Arab population soon to be in the majority.

If those individuals on the right in Israel believe in more noxious measures for addressing the reality soon to be staring them in the face, the international community, specifically the International Criminal Court, will possibly have a say in the matter too.

The actions of the settler movement in the occupied Palestinian territory must therefore be stopped. And the deep suffering of the Palestinian people must be brought to an end through the establishment of their own State on the basis of the 4 June 1967 borders, with East Jerusalem as its capital, living side by side with Israel in peace and security.

When the Security Council held its first meeting on 17 January 1946, the very horrors of the Second World War, including the Holocaust, were freshly in the mind of its members. If there was one objective it had to fulfil in the future, it was to preclude the recurrence of the sort of wars that left much of the world in ruin twice in the twentieth century. Sixty-five years and two days later, that objective remains as relevant as ever. The Council must therefore show itself strong enough to diffuse and overcome those spinning winds that, through their centrifugal forces, will draw countries — indeed whole regions — into a single colossus of an emergency quite beyond anything we see today. A single violent shock in the heart of Jerusalem could, for example, achieve this on its own. For the Council to simply wait for it to occur is hardly adequate preparation for what gigantic consequences will surely flow from such a transformational event.

The Israelis will occasionally say to us that resolving the conflict is less a matter of law than psychology. Given the rhythms and the very real traumas of Jewish historical experience, they are cautious about placing their trust in anybody, let alone, they say, in us, the Arabs. Perhaps we must concede that we could have done more to better understand this point — done more to develop greater trust by, inter alia, better explaining the terms of the Arab Peace Initiative to the Israeli public.

On the other hand, the actions of States must also be guided by the rules, which the Council itself must uphold. Our deep opposition to the policy of settlement building and our repeated strong condemnation of it, which we reiterate today, is not founded on some form of primordial enmity or bigotry towards the Jewish people. Any assertion to that effect is itself thoroughly distasteful to us. What it is built on is the continuing three-decade-long violation of international humanitarian law, as confirmed by the International Court of Justice. In paragraph 120 of its 2004 advisory opinion (see A/ES-10/273), the International Court of Justice held that,

> "As regards these settlements, the Court notes that Article 49, paragraph 6, of the Fourth Geneva Convention provides: 'The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.' That provision prohibits not only deportations or forced transfers of population such as those carried out during the Second World War, but also any measures taken by an occupying Power in order to organize or encourage transfers of parts of its own population into the occupied territory. In this respect, the information provided to the Court shows that, since 1977, Israel has conducted a policy and developed practices involving the establishment of settlements in the Occupied Palestinian Territory, contrary to the terms of Article 49, paragraph 6, just cited."

The Court continued:

"The Security Council has thus taken the view that such policy and practices 'have no legal validity'. It has also called upon 'Israel, as the occupying Power, to abide scrupulously' by the Fourth Geneva Convention and: 'to rescind its previous measures and to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem and, in particular, not to transfer parts of its own civilian population into the occupied Arab territories' (resolution 446 (1979) of 22 March 1979)."

The Court went on to remind us that the Council reaffirmed its position in resolutions 452 (1979) and 465 (1980). The Court concludes that

> "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law."

The President: There are still a number of speakers remaining on my list for this meeting. I intend, with the concurrence of the members of the Council, to suspend the meeting until 2.30 p.m.

The meeting was suspended at 1.20 p.m.